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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/783,163	02/13/2001	Akira Kagami	36992.00067	2732
30256	7590	12/08/2005	EXAMINER	
SQUIRE, SANDERS & DEMPSEY L.L.P			SIDDIQI, MOHAMMAD A	
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PALO ALTO, CA 94304-1043			ART UNIT	PAPER NUMBER
			2154	

DATE MAILED: 12/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/783,163	KAGAMI ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Mohammad A. Siddiqi	2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 06 September 2005.
- 2a) This action is FINAL.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-20 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_

**DETAILED ACTION**

1. Claims 1-20 are presented for examination. Claim 21-26 have been cancelled.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-20 rejected under 35 U.S.C. 103(a) as being unpatentable over Axberg et al. (6,253,240) (hereinafter Axberg ) in view of Shank et al. (6,145,028) (hereinafter Shank).

4. As per claim 1, Axberg discloses a storage management service system (101, fig 1, col 2, lines 59-61) comprising:

a storage on demand (SoD) center system (100, fig 1, col 2, lines 65-67);

a storage subsystem including a plurality of storage devices a plurality of I/O ports (130,131, fig 1 and 514, fig 5A, col 5, lines 50-59, it is inherent in the context of storage network because a port is an interface through which data are sent and received); an I/O port management table defining available connections between the I/O ports and the storage devices (connection table; col 20, lines 20-60), and a SoD resource management processor capable of communicating with the SoD center system and of modifying the device management table and the I/O port management table (col 20, lines 20-60); and

a host computer coupled to (110, fig 1, col 3, lines 1-9, host computer system), said storage subsystem (100, 104, fig 1, col 2, lines 65-67 and col 3, lines 1-15, storage network), said host computer including a plurality of host I/O controllers, an I/O path setting table defining available connections between the host I/O controllers and the I/O ports (fig 11, connection table; col 20, lines 20-60; col 33, lines 1-26), an operating system capable of modifying the I/O path setting table, and an SoD agent capable of communicating with the SoD center system and of communicating with the operating system to request modification of the I/O path setting table (connection table; col 20, lines 20-60; col 33, lines 1-26); and

said SoD center system is remote from the host computer and the storage sub-system(col 2, lines 65-67 and col 3, lines 1-15, storage network); wherein

    each of said host I/O controllers is coupled via a different communication channel to a respective one of said I/O ports (connection table; col 20, lines 20-60); and

    said SoD center system is remote from the host computer and the storage subsystem (col 2, lines 65-67 and col 3, lines 1-15, host computer system);

    said SoD center system receives input of an SoD demand (col 2, lines 65-67 and col 3, lines 1-15, local agents 111-113 in fig 1, receive and response to the request), and, thereafter sends information to said SoD resource management processor on said storage subsystem to manage the device management table and the I/O port management table and thereby manage the usability of the storage devices and the available connections between the I/O ports and the storage devices (connection table; col 20, lines 20-60; col 33, lines 1-26), and if necessary sends information to the SoD agent on the host computer to request the operating system local agents (111-113 in fig 1, receive and response to the request for accessing individual devices ) to manage the host I/O path setting table (connection table; col 9, lines 50-60; col 20, lines 20-60; col 33, lines 1-26) and thereby

manage available connections between the host I/O controllers and the I/O ports (col 3, lines 15-23, local agents 111-113 in fig 1, ; col 3, lines 15-26; col 3, lines 1-9, host computer collates the data to produce a coherent view of the data storage network and col 10, lines 51-58, Central Manager).

Axberg does not specifically disclose a device management table defining usability of the storage device (resources table, col 20, lines 20-60), however Shank discloses a device management table defining usability of the storage device (col 5, lines 26-40),

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Axberg and Shanks. The motivation would have been to have a coherent view of the storage area network by gathering information about the attached storage devices.

**5.** As per claim 2, the claim is rejected for the same reasons as claim 1, above. In addition, Axberg discloses said host computer sends a setting result to said SoD center system (manager creates required connection object, col 37, lines 2-5).

6. As per claim 3, the claim is rejected for the same reasons as claim 1, above. In addition Shank discloses host computer and said storage subsystem are coupled by physical and logical connections between at least one of the host 1/0 controllers and at least one of the subsystem 1/0 Ports (102, 104, fig 1, col 6, lines 58-63).

7. As per claim 4, the claim is rejected for the same reasons as claim 1, above. In addition Shank discloses host I/O controllers and said I/O ports are coupled by a network switch (102, fig 1) (100 fig 1) (col 3, lines 40-45, RAID) (col 4, lines 62-66).

8. As per claim 5, the claim is rejected for the same reasons as claim 4, above.

9. As per claim 6, the claim is rejected for the same reasons as claims 1 and 2, above. In addition, Shank discloses a storage apparatus comprising:  
a plurality of storage devices (100, fig 1, col 3, lines 10-16);  
a plurality of 1/0 ports providing an interface to said plurality of storage devices (102,104, fig 1, col 6, lines 58-63); each I/O port being uniquely connectable to one of a plurality of host I/O controllers on a user machine

a device management store (col 2, lines 18-28), in which a status of said a plurality of storage devices is stored (col 2, lines 18-28, and col 4, lines 24-27), and an I/O port management store (col 6, lines 58-63), in which available connections between said plurality of I/O ports is stored (102, 104, fig 1, col 6, lines 58-63), and said plurality of storage devices are stored;

a storage resource management processor (126, fig 1, col 4, lines 1-14); connectable via a network to an SoD center system, the storage resource management processor being capable of communicating with a SoD center system and of modifying the device management store and the I/O port management store; wherein

said storage management processor receives a demand for storage resources (126, fig 1, col 4, lines 1-14), the demand specifying one of said storage devices (col 2, lines 18-28, and col 4, lines 24-27), updates said device management store to manage the status of one of the storage devices and said I/O port management store to manage the available connections between the one storage device and the machine , (col 2, lines 18-28, and col 4, lines 24-27), and sends a management result responsive to said demand to the SoD center system (col 6, lines 4-15);

updates to at least one of a plurality of paths connecting to storage resources allocated from at least one of said plurality of storage devices are

defined to an operating system (132, fig 1, col 4, lines 1-16) of said user machine (col 2, lines 18-28, and col 6, lines 58-67); and said SoD center system is remote from said plurality of storage devices and from said user machine.

10. As per claim 7, the claim is rejected for the same reasons as claim 1, above. In addition Shank discloses plurality of storage devices that comprising at least one of a magnetic disk, an optical disk, a magnetic -optical disk, and semiconductor memory (RAID, 100, fig 1, col 3, lines 41-44).

11. As per claim 8, the claim is rejected for the same reasons as claim 6 above. In addition Axberg discloses a communications interface to a network, said storage management processor receiving said demand for storage resources over said network (110, fig 1, col 2, lines 65-67).

12. As per claim 9, the claim is rejected for same reasons as claims 6 and 4, above.

13. As per claims 10 and 19, claims are rejected for the same reasons as claims 1- 5, above.

14. As per claim 11, the claim is rejected for the same reasons as claim 10, above. In addition, Shank discloses storing an indication that a particular 1/0 port in said storage subsystem is accessible to a particular host 1/0 controller (col 6, lines 1-15).

15. As per claims 12 and 20, Shank discloses receiving at said center system computer an input of a demand for storage resources (col 2, lines 19-28);

    determining whether sufficient resources exist to meet said demand (lookup, col 6, lines 20-23);

    sending said demand for storage resources to said storage subsystem (col 6, lines 4-15), if sufficient resources were determined to exist (lookup, col 6, lines 20-23);

    receiving from said storage subsystem a management result (col 8, lines 4-27), said management result indicating whether storage resources have been successfully allocated in accordance with said demand (col 8, lines 4-27);

    storing said management result (configuration file, col 8, lines 2-27);

    determining whether said demand includes an 1/0 path setting request (col 6, lines 2-15);

sending said 1/0 path setting request to said host computer, if said demand included an 1/0 path setting request, receiving said setting result from said host (col 6, lines 2-15); and

storing said setting result (configuration file, 142, 140, fig 1, col 8, lines 2-27).

16. As per claim 13, the claim is rejected for the same reasons as claim 1, above. In addition, Shank discloses receiving said demand for storage resources at said storage subsystem (col 2, lines 19-28);

determining whether said demand includes a command to make at least one of a plurality of installed devices available (col 4, lines 3-16);

updating a device management store (col 8, lines 2-27, if said demand includes a command to make at least one of a plurality of installed devices available (col 7, lines 17-24);

updating an I/O port management store (col 6, lines 58-67) and sending a resource management result to said center system (col 6, lines 2-42).

17. As per claim 14, the claim is rejected for the same reasons as claim 1, above. In addition , Shank discloses storing an indication that a particular device is usable (col 8, lines 1-20 and col 5, lines 30-35).

18. As per claim 15, Shank discloses storing an indication that a particular 1/0 port is usable (col 6, lines 58-67 and col 5, lines 30-35).

19. As per claim 16, Shank discloses receiving at said storage subsystem an 1/0 command to access storage resources from said host (col 2, lines 19-28);

determining whether storage resources requested by said 1/0 command are usable (col 5, lines 30-35);

performing said i/o command, if said storage resources requested by said 1/0 command are usable (col 8, lines 1-20 and col 6, lines 58-67);

otherwise rejecting said 1/0 command; and sending an 1/0 result to said host (col 8, lines 1-20 and col 6, lines 58-67).

20. As per claim 17, Shank discloses searching said device management store to determine whether devices requested in said 1/0 command are usable (lookup, col 6, lines 20-23 and 58 -67).

21. As per claim 18, Shanks discloses searching said 1/0 port management table to determine whether 1/0 ports requested in said 1/0 command are usable and whether devices requested in said 1/0 command

are accessible via 1/0 ports requested in said 1/0 command (col 6, lines 58-67 and col 8, lines 1-26).

***Response to Arguments***

22. Applicant's arguments filed 09/06/2005 have been fully considered but they are not persuasive, therefore rejections to claims 1-320 is maintained.

23. Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

24. In response to applicant's argument that Shank and Axberg are nonanalogous art, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to

the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, Axberg teaches central managed storage area network and Shank teaches I/O path management in Storage Area network.

25. Applicant's arguments do not comply with 37 CFR 1.111(c) because they do not clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made. Further, they do not show how the amendments avoid such references or objections.

### ***Conclusion***

26. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action

and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad A. Siddiqi whose telephone number is (571) 272-3976. The examiner can normally be reached on Monday -Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A. Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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